

## REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and the following remarks.

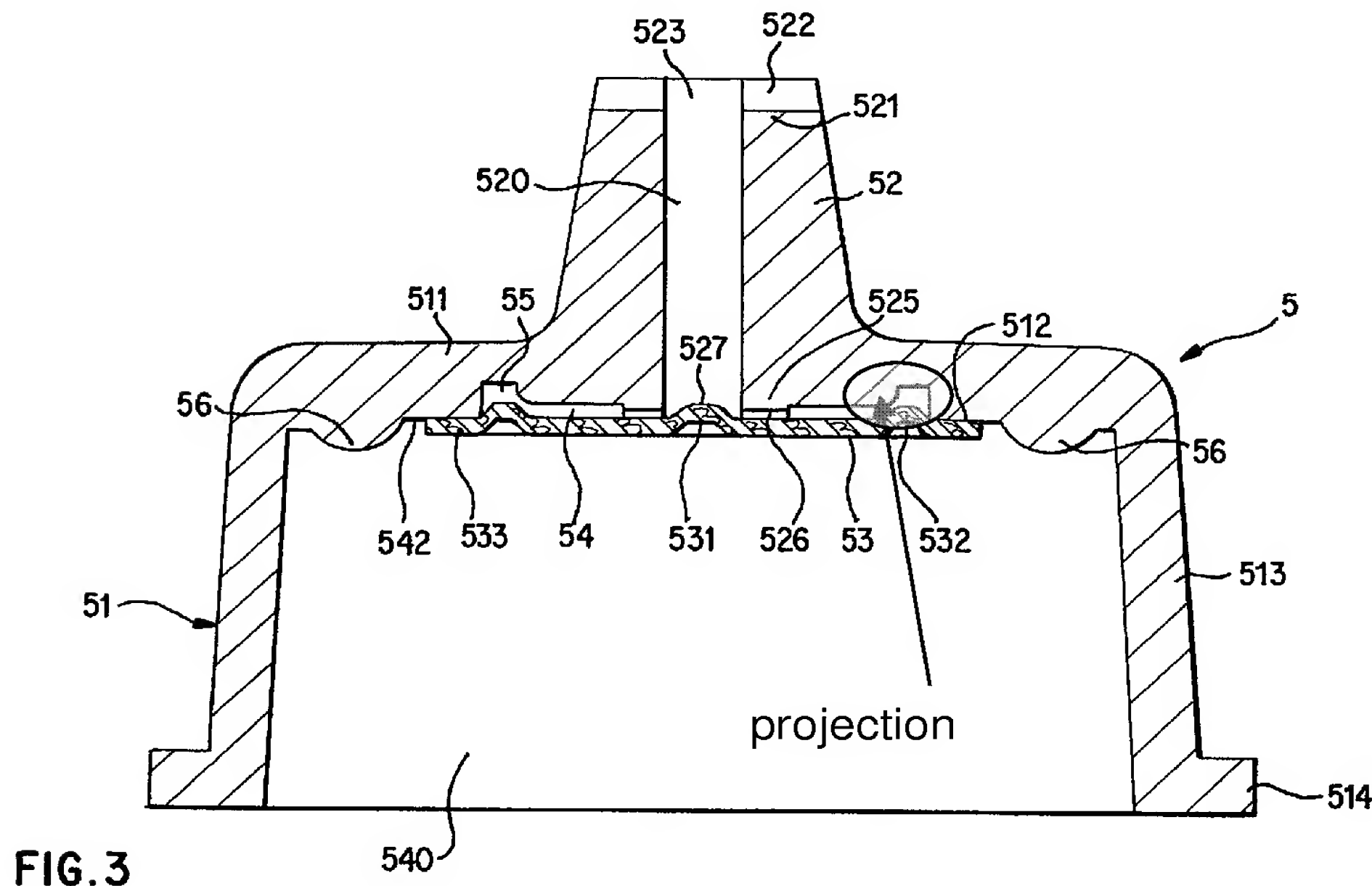
The undersigned counsel for Applicants would like to express her gratitude to Examiner Lloyd for the courtesies extended in the telephone interview earlier today, May 6, 2010. The Examiner noted that the illustration referred to in the Amendment filed October 13, 2009, did not in fact appear in the Amendment as filed. In addition, the Examiner noted that Claim 14 had not been amended so as to overcome one of the rejections under Section 112,

In response thereto, Claim 14 has been amended as set forth above to delete the word "opening". In addition, Applicants repeat below the relevant portion of the arguments previously presented on October 13, 2009, and include the intended illustration as well.

Independent claim 14 as amended above is directed to a humor sampling implement comprising a main frame part provided with a humor inflow port, a humor outflow port and a humor transfer channel extending between the humor inflow port and the humor outflow port, the main frame comprising a projection provided along said humor transfer channel to at least prevent an increase in a cross-sectional area of a portion of the humor transfer channel between the projection and the humor outflow port; wherein the projection possesses a configuration such that a cross-sectional area of the projection decreases toward the humor outlet port; and wherein the humor transfer channel comprises a first humor transfer channel that opens to the humor inflow port and a second humor transfer channel connected to the first humor transfer channel, the second humor transfer channel being orthogonally oriented relative to the first humor transfer channel.

The primary reference relied upon by the Examiner in rejecting original claim 17, which has now been incorporated into claim 14, Morikawa, is directed to collection device having a body member 51 with a tip end 52. The alleged projection

relied upon by the Examiner is defined by the curve of tip end 52 between 54 and 55 and pointing towards 532. This alleged projection is highlighted herein for clarity and to ensure a correct understanding of what the Examiner is relying upon.



As evident from the above illustration, the projection does not have "a configuration such that a cross-sectional area of the projection decreases toward the humor outlet port." Accordingly, Applicants respectfully submit that independent claim 14 is not anticipated or rendered obvious by Morikawa.

Still further, as recited in newly added claim 23, it is clear that the projection provided along said humor transfer channel does not "project along an axial direction of said second humor transfer channel."

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful

in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: May 6, 2010

By: /WLWeinstein/  
Wendi L. Weinstein  
Registration No. 34456

**Customer No. 21839**  
703 836 6620